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TAGS: [KJUS](#) [PGOV](#) [PINR](#) [PREL](#) [PTER](#) [CO](#)
SUBJECT: ARRESTS OF PUBLIC FIGURES WITH ALLEGED
PARAMILITARY TIES; URIBE CALLS FOR LAW ENFORCEMENT ACTION
AND HARSH PUNISHMENT

REF: A. A) BOGOTA 8108
[1](#)B. B) BOGOTA 9795

Classified By: Ambassador William B. Wood.
Reasons: 1.4 (b) and (d)

Summary

[1](#)1. (C) On November 17, President Uribe strongly supported the recent law enforcement actions against several Colombian Congressmen for alleged paramilitary ties, and said the State had to proceed with "more severity" when public figures violated the law. The Supreme Court of Justice ordered the arrest on November 9 of three members of Congress from Sucre Department for allegedly organizing paramilitary groups in the region and, in one case, for instigating a massacre that took 15 lives. Two of the three have turned themselves in; one remains at large. We understand the Court has asked the Congress to confirm whether an additional 90 individuals are or have been members of Congress, apparently because those individuals are also the subject of a Court investigation. End summary.

Uribe Urges Strict Application of the Law

[1](#)2. (C) At a November 17 event commemorating the 120th anniversary of the Supreme Court, President Uribe strongly supported recent Supreme Court actions against Colombian Congressmen allegedly involved with paramilitaries, murder and corruption, and said the State had to proceed with "more severity" when public figures were accused of violating the law. He stressed "where there are congressmen, political leaders or Executive officials involved in crime, they must go to jail." Uribe said the GOC supported the Justice system's ongoing investigations "without hesitation," because justice is a "fundamental element" of his democratic security policy. He concluded that Colombia needed to be free of guerrilla and paramilitary influence, and democratic institutions must govern.

Court Issues Arrest Warrants, More Expected

¶3. (U) On November 9, the Supreme Court of Justice issued arrest warrants for three members of Congress from Sucre Department who are accused of having ties with paramilitary groups. The three -- Senator Alvaro Garcia, Senator Jairo Merlano, and Representative Erik Morris -- are charged with aggravated conspiracy to commit criminal activity. Garcia is also charged with aggravated homicide and embezzlement. Morris and Garcia have surrendered to authorities, but Merlano remains at large. The Court based its decision in part on information the Fiscalía (Prosecutor General's office) provided to it.

¶4. (U) The Court is investigating Garcia and Morris for organizing, arming, and financing paramilitaries in Sucre since 1997. Garcia is also being questioned about his participation in the Macayepo massacre on October 16, 2000, in which 15 people died, and in the murder of Georgina Marvaez on November 19, 1997. He is also suspected of embezzling COP 17 million (USD 8 million) from a 1998 public works in Sucre Municipality. Garcia allegedly used the money to finance a paramilitary group. Merlano was reportedly involved with the Heroes of the Montes de Maria paramilitary group.

¶5. (C) XXXXXXXXXXXX told us the Supreme Court's Criminal Chamber asked Congress on November 16 to certify whether 80 individuals are or were members of Congress to determine if they are subject

to the Court's jurisdiction over sitting members. House Secretary General Angelino Lizcano told us the number was

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closer to 90. XXXXXXXXXXXX said the Supreme Court would issue arrest warrants for possibly 12 additional members of Congress for alleged paramilitary ties. She said Zulema Jattin from the U Party, Dieb Maloof from Colombia Viva, and David Char from Cambio Radical were expected to be on the list of 12.

¶6. (C) XXXXXXXXXXXX said an arrest warrant has been issued for Sergio Araujo, brother of Foreign Minister Maria Consuelo Araujo, for money laundering. Sergio Araujo has also been linked with gun-running for the AUC and to Jorge 40. Senator Alvaro Araujo, also a brother of the Foreign Minister, confirmed press reports that he had said at a private meeting at Casa Narino that "if they come for me, they had better come for Conchi (the Foreign Minister), the president, and the procurador (Inspector General Edgardo Maya, formerly married to an Araujo)." He admitted attending meetings at which Jorge 40 was present prior to his demobilization, but denied being associated with paramilitary political projects. Araujo said his comments were not a threat, but were intended to warn the Uribe administration about the political fallout from arrests and investigations.

Other GOC Institutions Act

¶7. (C) The Fiscalía recently opened cases against prominent former public figures and businessmen for alleged paramilitary ties. The Fiscalía arrested former Congresswoman from Sucre, Muriel Benito, for failure to appear for questioning about her alleged links to paramilitary groups. The Supreme Court asked the Fiscalía to investigate five individual for alleged ties to paramilitaries, including former Sucre governor and Colombian Ambassador to Chile Salvador Arana, Sucre assembly deputy Angel Daniel Villarreal, businessman Jose Joaquin Garcia, cattle rancher Miguel Nule, and engineering contractor Octavio Otero. The Inspector General's office (Procuraduria) announced it would investigate former Administrative Department of Security (DAS) (FBI equivalent) Director Jorge

Noguera for several alleged crimes, including collaboration with paramilitaries.

Why Now?

18. (C) XXXXXXXXXXXX said Uribe's policy of disarming and demobilizing the paramilitaries had undermined the groups' military capacity and opened new spaces for public pressure to uncover the truth about paramilitary activities. XXXXXXXXXXXX told us the Sucre cases have come to light because the murder of Sucre paramilitary leader Rodrigo Mercado (AKA "Cadena") by other paramilitary leaders who feared Mercado would confess para crimes had created room for people to speak out. In addition, XXXXXXXXXXXX said the departures of former Supreme Court President Carlos Isaac Nader, who had blocked previous investigations to protect Sucre politicians, had also helped. Lastly, XXXXXXXXXXXX said stories about Jorge 40's computer sparked prosecutor interest in pursuing cases.

19. (U) See septel for the political implications of the congressional investigations.
WOOD

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